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10 UNITED STATES DISTRICT COURT
11 FOR THE CENTRAL DISTRICT OF CALIFORNIA

12
13 IN RE THE PEP BOYS
14 OVERTIME ACTIONS

Master File No. 07-CV 01755 VBF (RZx)

15 ORDER GRANTING MOTION FOR
16 AWARD OF ATTORNEYS' FEES AND
17 REIMBURSEMENT OF EXPENSES

The Court having considered the Joint Stipulation of Settlement Agreement (“Settlement Agreement”) (Docket No. 79-2), and having preliminarily approved the same on July 28, 2008;

The Court having reviewed Class Counsel's Motion for an Award of Attorneys' Fees and Reimbursement of Expenses and the Memorandum of Points and Authority in Support of that motion;

The Court having reviewed the entire record of this action, and good cause appearing,

IT IS HEREBY ORDERED:

1. The Court has jurisdiction over the subject matter of this action, the Defendant, and the Class;

2. Notice of the requested award of attorneys' fees and reimbursement of expenses was directed to Class Members in accordance with Rule 23(h)(1) of the Federal Rules of Civil Procedure;

3. The requested award of \$1,750,000 in attorneys' fees is supported by the percentage of the common fund, as it is this Circuit's benchmark of 25 percent. See, e.g., Paul, Johnson, Alston & Hunt v. Graulty, 886 F.2d 268 (9th Cir. 1989); Six Mexican Workers v. Arizona Citrus Growers, 904 F.2d 1301 (9th Cir. 1990); Vizcaino v. Microsoft Corp., 290 F.3d 1043 (9th Cir. 2002). The Court reaches this conclusion based on attorneys' fees awards issued in similar cases, and the fact that a fund of up to \$7,000,000, plus interest, was created for Class Members through the efforts of Class Counsel;

4. The \$146,057.73 in litigation costs and expenses incurred by Class Counsel have been adequately documented and were reasonably incurred for the benefit of the Class, and the Court finds that reimbursement of these costs and expenses is justified;

1 THE COURT HEREBY ORDERS:

2 Class Counsel are hereby awarded attorneys' fees in the amount of
3 \$1,750,000 and reimbursement of costs and expenses in the amount of
4 \$146,057.73.

5 IT IS SO ORDERED.

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7 Dated: 11/12/08

Valerie Baker Fairbank

8 Hon. Valerie Baker Fairbank
9 United States District Judge

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